THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.25331 of 2006

Date: 02nd January 2007

Between:

M.V.S.Rai, s/o late Sri M.S.R. Murthy,
aged 74 years, r/o D.No.49-28-5,
Madhura Nagar, Visakhapatnam,
Visakhapatnam District.

… Petitioner.

And

1. Greater Visakhapatnam Municipal Corporation,
   Visakhapatnam, Visakhapatnam district,
   rep. by its Commissioner and another.

… Respondents.

* * *

ORDER:

Heard the counsel on record.

2. The writ petition is filed for a writ of Mandamus declaring action of the first respondent in proceeding with the process of consideration of the application of the second respondent for building permission for plot No.38 covered by layout T.P.No.25/66, situated at Akkayyapalem, Visakhapatnam, showing the boundaries of the petitioner's property in plot No.37 without considering the representation dated 05.01.2006 submitted by the petitioner and the telegraphic legal notice dated 11.11.2006 got issued by the petitioner , as illegal, arbitrary and violative of

Articles 14 and 300-A of the Constitution of India; and consequently direct the first respondent to take appropriate action on the representation dated 05.01.2006 submitted by the petitioner and the telegraphic legal notice dated 11.11.2006 got issued by the petitioner in respect of the property situated in Akkayyapalem, Visakhapatnam covered by layout T.P.No.26/66 and pass such other suitable orders.

3. Several factual details are narrated in the affidavit filed in support of the writ petition. It is stated that the petitioner made a representation on 05.01.2006 and also a telegraphic notice on 11.11.2006 to the first respondent. The main grievance of the petitioner is that the first respondent in spite of repeated requests is not disposing of the said representations.

4. In view of the same, the first respondent is directed to consider and dispose of the representation of the petitioner dated 05.01.2006 and the telegraphic notice dated 11.11.2006 after putting the petitioner and the second respondent on notice in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

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(P.S.NARAYANA, J.)

Date: January 2, 2007.

Note:
Issue CC by two days.

//B.O.//
BSB